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## Executive Orders 2007

Executive Order 48 (2007)

### Energy Efficiency in State Government

#### Importance of the Initiative

Commonwealth agencies and institutions spent over \$290 million in fiscal year 2006 for facility and transportation energy. It is critical that the Commonwealth use energy in the most efficient manner possible to save taxpayer money and provide leadership to all Virginians in using our natural resources wisely. Improvements in energy efficiency and protection of our priceless natural resources are inseparable goals. Reducing the amount of energy we consume will reduce the emission of greenhouse gases that are largely responsible for global climate change. State government has the capacity and responsibility to save taxpayer money while protecting our climate and natural resources for future generations.

The Commonwealth's citizens, businesses, and governments are also faced with managing the effects of more costly and less reliable supplies of energy, as well as the environmental effects of energy production and consumption. In response, the General Assembly enacted into law in 2006 a state energy policy and directed the Department of Mines, Minerals and Energy to develop the Virginia Energy Plan. This requires coordination of energy activities among many private organizations and state agencies and institutions.

By the power vested in me by Article V of the Constitution of Virginia, and Section 2.2-103 of the Code of Virginia, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby direct the Governor's Secretaries and all executive branch agencies and institutions to reduce energy consumption and costs in state government operations in the executive branch. I also set forth a process for coordinating energy policy development within the executive branch.

#### Agency Energy Management

All agencies and institutions shall provide adequate management support to their energy-savings activities. In order to ensure agencies have sufficient expertise in energy management, every Agency Energy Manager for an agency or institution with energy costs exceeding \$1 million shall be

certified as an energy manager by the Association of Energy Engineers by June 30, 2008.

### **State Agency and Institutions Energy Savings Goal**

I hereby set a goal for executive branch agencies and institutions to reduce the annual cost of non-renewable energy purchases by at least 20 percent of fiscal year 2006 expenditures by fiscal year 2010. Any agency or institution that can demonstrate to the Senior Advisor for Energy Policy that they met the 10 percent energy savings goal established for 2006 in Executive Order 54 (2003) shall reduce costs of non-renewable energy purchase by an additional 15 percent of fiscal year 2006 expenditures by fiscal year 2010.

In order to meet this goal, agencies and institutions shall aggressively pursue (i) all energy-savings activities whose costs are recoverable in one fiscal year, such as use of screw-in fluorescent and other high-efficiency lighting in place of incandescent bulbs and other less efficient lights; (ii) energy-savings performance contracts that are in compliance with Section 4-4.01v of the Appropriations Act; (iii) other funded capital energy-savings improvements; (iv) alternate procurement techniques for energy; (v) renovations of existing buildings consistent with LEED (including the use of Virginia forest products with alternate certifications) or Energy Star requirements as provided for in this executive order; (vi) the transportation energy use requirements provided for in this executive order; or (vii) purchases of renewable energy. Further, after having complied with requirements regarding roof repair or replacement and deferred maintenance projects in accordance with Section 4-4.01c of the Appropriations Act, agencies shall aggressively pursue maintenance reserve projects leading to energy conservation.

Agencies shall report their progress towards the energy-savings goals as part of the Governor's Management Scorecard, Resource Stewardship objective. Such progress shall also be reported to the public on the Department of Mines, Minerals and Energy's website.

### **New and Renovated State-Owned Facilities**

All agencies and institutions constructing state-owned facilities over 5,000 gross square feet in size, and renovations of such buildings valued at more than 50% of the assessed building value which have not advertised for architectural and engineering services by the effective date of this order shall be designed and constructed consistent with the energy performance standards at least as stringent as the U.S. Green Building Council's LEED rating system (including the use of Virginia forest products with alternate certifications) or the United States Environmental Protection Agency/Department of Energy's "Energy Star" rating.

The Senior Advisor for Energy Policy shall periodically assess the cost effectiveness of incorporating a photovoltaic

power system or a green roof in any roof renovation for buildings over 5,000 gross square feet in size. If the Senior Advisor for Energy Policy finds that the projected energy savings over a 15-year period can pay for the additional cost of installing a photovoltaic or green roof system, then the Department of General Services shall require that any roof replacement design address that option. Agencies and institutions shall incorporate the option if it meets the 15-year payback limit for that replacement.

### **Leased Facilities**

When a Commonwealth agency or institution is to lease space in a metropolitan area where public transit is available, it shall seek to lease space within a quarter mile of a bus, trolley, Metro, or commuter rail stop. The Commonwealth shall encourage the private sector to adopt energy-efficient building standards by giving preference when leasing facilities for state use to facilities meeting the U.S. Green Building Council's LEED rating system (including the use of Virginia forest products with alternate certifications) or the United States Environmental Protection Agency/Department of Energy's "Energy Star" rating. The Commonwealth shall also provide a preference when leasing facilities for state use to facilities that are pedestrian and bicycle accessible. The Division of Real Estate Services of the Department of General Services shall consider these preferences in approving new leases or extensions of current leases.

### **Transportation Energy Use**

The Department of General Services, by Executive Order 89 (2005), is responsible for developing a consistent, efficient, and cost-effective fleet management program for all vehicles owned by the Commonwealth. Therefore, the Department of General Services shall include in its policies and procedures requirements for the purchase of fuel-efficient, low-emission state-owned vehicles. In addition, the Department of General Services shall include in its policies and procedures for leasing vehicles requirements that give a preference to compact, fuel-efficient, and low-emission vehicles.

All agencies and institutions shall maximize biodiesel and ethanol use in state fleet vehicles except where use of biodiesel will void warranties or incur unreasonable additional costs to the agencies. The Department of General Services shall make available, at selected sites based upon the locations of state-owned flex-fuel and diesel vehicles, E85 and B20 fuels for agencies. Agencies and institutions that independently purchase fuel shall use E85 and B20 fuel sites to the maximum extent reasonably possible.

All agencies and institutions shall take necessary actions to minimize vehicle miles traveled related to state operations. All agencies and institutions shall implement transit and ridesharing incentive programs within the parameters of the Department of Human Resource Management's guidelines, and shall maximize the use of telecommuting consistent with the policies of the Office of Telework Promotion and

Broadband Assistance.

State vehicles used for law enforcement and emergency response shall be exempt from the provisions of this section. Public safety agencies are expected to make all reasonable efforts to reduce transportation energy use when possible in ways that do not adversely impact their missions and ultimately the safety of our citizens.

### **State Government Equipment and Supplies**

Commonwealth agencies and institutions shall purchase or lease Energy Star rated appliances and equipment for all classifications for which an Energy Star designation is available. All new copiers, faxes, printers, and other such office equipment purchased or leased by the Commonwealth that uses paper shall be recycled paper-compatible. The Commonwealth shall purchase only recycled paper except where equipment limitations preclude the use of recycled paper.

### **Senior Advisor for Energy Policy and Energy Policy Advisory Council**

There is hereby established the position of Senior Advisor to the Governor for Energy Policy and the Governor's Energy Policy Advisory Council to provide expertise and advice to the Commonwealth on the Virginia Energy Plan and other energy matters. The Senior Advisor will serve as the Governor's principal advisor on energy-related issues, and is directed to coordinate energy policy across state agencies and institutions, including advising state institutions of higher education on coordinating energy research efforts.

The Senior Advisor shall develop and update the Virginia Energy Plan in conjunction with the Division of Energy of the Department of Mines, Minerals, and Energy, as provided for in Chapter 2 of Title 67 of the Code of Virginia, drawing upon expertise of other agencies and institutions and Virginia businesses as appropriate.

The Governor's Energy Policy Advisory Council shall be chaired by the Senior Advisor for Energy Policy. The Council shall consist of 15 members appointed by the Governor, to serve at his pleasure. Appointees shall include representatives of Virginia's energy providers and producers, residential, commercial and industrial energy consumers, Virginia's conservation community, and the Secretaries of Natural Resources, Commerce and Trade, and Technology. The Advisory Council shall make a report of its activities by December 1 of each year.

The Advisory Council's responsibilities shall include the following:

1. Review the recommendations set forth in the Virginia Energy Plan as well as other relevant reports and studies.

2. Evaluate strategies for implementing recommendations of the Virginia Energy Plan, including prioritization, approach, and timeline.
3. Monitor implementation of the Virginia Energy Plan.
4. Identify additional energy policy options for the Commonwealth to address energy issues.
5. Make other recommendations as may be appropriate.

### **Responsibilities of the Department of Mines, Minerals and Energy**

The Department of Mines, Minerals and Energy shall be responsible for providing technical assistance to state agencies and institutions in achieving energy savings. Specifically, the Department of Mines, Minerals and Energy shall:

1. Assist state agencies in their efforts to conserve energy to the maximum extent feasible;
2. Assist agencies and institutions with implementation of this Executive Order;
3. In cooperation with the Department of Environmental Quality, assist agencies with calculating the extent to which their energy savings result in a reduction in greenhouse gas emissions; and
4. Maintain a system to monitor and report on progress made by state agencies toward reducing from its 2006 baseline energy costs and consumption for state-owned facilities, and provide a report at least annually on its website.

This Executive Order shall become effective upon its signing and shall remain in full force and effect until June 30, 2011, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this Fifth day of April, 2007.

**/s/ Timothy M. Kaine, Governor**

**Attest:**

**/s/ Secretary of the Commonwealth**

Office of the Governor Timothy M. Kaine  
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